The Hague Peace Conferences of 1899 and 1907. By JAMES BROWN SCOTT. (Baltimore: Johns Hopkins' Press. 2 vols. Pp. xiv, 14, 887, vii, 548.)

The work of the first Hague conference was effectively presented to the American public in 1900 by one of the delegates from the United States, the late Frederick W. Holls, in a volume of some 600 pages. Professor Scott has now given us, at more than twice the length, the results of both conferences, together with some account of the general world-movement towards international agreements, and wider treaties of arbitration.

The first volume opens with a comparison, well thought out and clearly put, of the development of international law as compared with that of the English common law; each by a steady course of evolution, and each rising slowly out of the usages of the day. The general history of official international congresses, from the peace of Westphalia, is then briefly sketched, and due credit given (p. 27) to the pioneer work and discriminating forecast of our idealistic countryman, William Ladd. Their function is declared to be (p. 28) the formulation of international statutes.

Attention is called (pp. 47, 95) to the fact that the only powers not represented at her court, which were invited by Russia to the first Hague conference, were Brazil, Luxembourg, Montenegro and Siam.

Recent discussions in Great Britain and her colonies as to the increase of her navy lend a special interest to Professor Scott's treatment of the work of this conference in respect to the proposal to limit armaments. M. de Staal's remark before the first commission at an early meeting, that armed peace now costs more than the most burdensome war of former times, is quoted, and the Russian proposals on the subject are given at length (p. 55). The author is evidently disposed (p. 60) to regret the *consensus* of technical expert opinion that war could be shorn of but few of its horrors, while he accepts the conclusion that world-courts must precede world-peace. He gives an interesting extract from an article by Professor Zorn in the *Deutsche Revue* for November, 1906 (p. 75) which seems to indicate that Dr. Holls had less to do with obtaining Germany's final assent to the establishment of the Hague tribunal than has been generally supposed here.

The story of the second Hague conference, of which Professor Scott was a member, naturally occupies the greater part of his work. Emphasis is laid on the initiative of the United States in bringing the Latin-

American powers into a position of adherence to the results of the first conference and active participation in the second. The author is inclined to think that the United States hardly received in the latter the public recognition of their share in its convocation which they merited (pp. 111, 115). One quite sufficient reason, however, for not assigning the presidency of any of the commissions to an American was that French, the language generally used in discussion and always in official documents in their final form, was not one which our principal delegates used with freedom (pp. 123, 167). They were therefore more useful on the floor than they could have been in a chair, the occupant of which, by European usage, must practically shape the course of proceeding and be vigilant to interpose on the first suggestion of an ill-advised or irrelevant proposition.

One of the most interesting chapters is that dealing with the *personnel* of the second conference (p. 155). The author's own impressions are frankly given (see, e. g., pp. 162, 169).

Before describing in detail the work of the two conferences in reference to the pacific settlement of international disputes, a chapter (chapter v) is interjected on the general subject of international arbitration, which is a good summary of the leading facts and principles.

Professor Scott justly regards the institution of the world prize court, leading to the London maritime law conference of 1908–9, as the most distinctive work accomplished at the Hague (p. 465), and defends the assent to it of our delegates, on the fundamental ground (p. 477) that a determination of a prize cause by a national judiciary can be final only in name, as respects the interests of the losing party, when a foreigner. It always remains open to him to appeal to his government, and this may involve the practical overruling of the adverse decision through international agreements,—a fate which has already befallen several of the prize judgments of the supreme court of the United States. The court itself may adhere to them as precedents, but the world has pronounced against them (p. 499). As to precisely how such a judgment as one for costs against an American, if rendered by this new world-court, could be executed, the author admits that there is a grave question (p. 502). A postscript, added as the work was passing through the press, gives the vote of the London conference on February 26, 1909, favoring the admission of reservations by powers ratifying this particular convention, as to giving an appeal to the new court the form of an action for indemnity, for loss suffered or otherwise to be suffered from the judgment which may be the subject of controversy (p. 511).

In commenting on the results of the conferences, the distinction between conventions, signed declarations, unsigned declarations, resolutions and *voeux* is clearly stated (p. 136). The convention, or signed declaration, is a law proposed for ratification: the others are projects proposed for future consideration.

Occasional repetitions occur, which are the less to be wondered at since the work is an amplification of a course of lectures given at Johns Hopkins University, the primary purpose of which naturally was to impress the principal matters on the minds of the students. Thus, upon page 39 we have a long quotation from a dispatch of our minister at St. Petersburg, and on page 41 an important part of it appears again.

An appendix to vol. i and the whole of vol. ii, comprising in all about 600 pages, are devoted to documents throwing light on the preparation for each of the conferences, or stating their proceedings and conclusions.

Professor Scott has thus not only given the general public a clear view of the formation and the achievements of the two most imposing international congresses ever held, but put the student of public law who desires to examine them more closely, in possession of the most important sources of original information.

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The Two Hague Conferences. By WILLIAM I. HULL. (New York: Ginn and Company. 1908. Pp. 516.)

This work is written, the author states, to carry out the suggestion of the National Educational Association which at its forty-fifth session recommended to its members "that the work of the Hague conferences and of the peace associations be studied carefully and the results given proper consideration in the work of instruction." It is not to be expected that a book written to order will conform to the canons of historical criticism nor that the facts will be interpreted in critical spirit; and, in justice to the author, it should be stated at the outset that this is not the primary purpose of the work. The attempt is made to give a "historical record, and not to enter the field of partisan argument or theoretical contention." And, in general, he has given us a very good, well-ordered narrative of the work of the two conferences. The arrangement of the topics is such that a separate account of each conference may be secured, or a comparative study upon each topic discussed by the two conferences may be made. Thus for example,